

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

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UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 3:12-CR-317-L
	§	
BARRETT LANCASTER BROWN	§	

GOVERNMENT'S UNOPPOSED MOTION TO CONDITIONALLY UNSEAL

1. The United States, by and through the undersigned Assistant United States Attorney, respectfully seeks an order from the Court (1) unsealing for the limited purpose of providing discovery to the defense, and (2) applying the conditions and limitations of the Agreed Protective Order (APO) issued on or about June 20, 2013 in 3:12-CR-317-L (Document 66) to a recording or transcription of Brown's September 13, 2012 the probable cause and detention hearing following Brown's arrest in *United States v. Barrett Brown* (Criminal Complaint) 3:12-MJ-405-BF. Magistrate Judge Stickney previously sealed the proceedings and any transcript of the proceedings.

2. The allegations in the Criminal Complaint were presented to a Federal Grand Jury resulting in the Indictment returned on or about October 3, 2012, in 3:12-CR-317-L.

3. To comply with its obligation to provide discovery to the defense, the government respectfully requests that this Honorable Court conditionally unseal a recording or a transcription of the probable cause and detention hearing. The government requests that this Honorable Court apply the conditions and limitations of the APO to said recording or

transcription, as if the same constituted “protected materials.”

Respectfully submitted,

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UNITED STATES ATTORNEY

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### **CERTIFICATE OF CONFERENCE**

I hereby certify that on July 10, 2013, I conferred with Brown’s attorney of record Ahmed Ghappour regarding the above motion. On July 15, 2013, Mr. Ghappour advised me that the defense did not oppose the motion but reserved the right (upon inspection of the currently sealed transcript) to make a motion to modify the application of the Agreed Protective Order to portions of the transcript that do not reveal protected information.

S/ Candina S. Heath  
CANDINA S. HEATH  
Assistant United States Attorney

### **CERTIFICATE OF SERVICE**

I hereby certify that on July 16, 2013, I electronically filed the foregoing document with the clerk for the U.S. District Court, Northern District of Texas, using the electronic case filing (ECF) system of the court. The ECF system sent a "Notice of Electronic Filing" to Brown’s attorneys of record Ahmed Ghappour, Charles Swift, and Marlo Cadeddu, who consented in writing to accept this Notice as service of this document by electronic means.

S/ Candina S. Heath  
CANDINA S. HEATH  
Assistant United States Attorney